|  | Application No.  | Applicant(s)   |                           |
|--|--|--|---------------------------|
| Notice of Allowability   | 09/843,902   |  |                           |
|  | Examiner   | KIBAR, OSMAN Art Unit  |                           |
|  | Susan Hanley   | 1651   |                           |
| The MAILING DATE of this communication apperation apperation allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI of the Office or upon petition by the applicant. See 37 CFR 1.313   | ars on the cover sheet wi<br>(OR REMAINS) CLOSED i<br>or other appropriate comm<br>GHTS. This application is | ith the correspondence address  n this application. If not include unication will be mailed in due | ed<br>course, <b>THIS</b> |
| 1. This communication is responsive to 8/9/04.   |  |  |                           |
| 2. ☑ The allowed claim(s) is/are <u>1-17,20-53 and 79-85</u> .   |  |  |                           |
| 3. The drawings filed on are accepted by the Examiner.   |  |  |                           |
| <ul> <li>4. ☐ Acknowledgment is made of a claim for foreign priority una a) ☐ All b) ☐ Some* c) ☐ None of the:</li> <li>1. ☐ Certified copies of the priority documents have</li> <li>2. ☐ Certified copies of the priority documents have</li> <li>3. ☐ Copies of the certified copies of the priority documents have International Bureau (PCT Rule 17.2(a)).</li> <li>* Certified copies not received:</li> </ul> | been received. been received in Application  | on No  | ion from the              |
| Applicant has THREE MONTHS FROM THE "MAILING DATE" on noted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.   | of this communication to file ENT of this application.   | e a reply complying with the req   | uirements                 |
| 5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.   |  |  |                           |
| 6. CORRECTED DRAWINGS (as "replacement sheets") mus  | t be submitted.  |  |                           |
| (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached   |  |  |                           |
| 1) 🗌 hereto or 2) 🔲 to Paper No./Mail Date   |  |  |                           |
| (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of<br>Paper No./Mail Date  |  |  |                           |
| Identifying indicia such as the application number (see 37 CFR 1. each sheet. Replacement sheet(s) should be labeled as such in the  | 84(c)) should be written on to   | he drawings in the front (not the  | back) of                  |
| 7. DEPOSIT OF and/or INFORMATION about the deposit attached Examiner's comment regarding REQUIREMENT F   | sit of BIOLOGICAL MATI   | ERIAL must be submitted. N   | ote the                   |
| Attachment(s)  |  |  |                           |
| 1. Notice of References Cited (PTO-892)  | 5. Notice of In  | formal Patent Application (PTC   | -152)                     |
| 2.  Notice of Draftperson's Patent Drawing Review (PTO-948)  |  | ummary (PTO-413),  |                           |
| 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08 Paper No./Mail Date 8/9/04   |  | /Mail Date<br>Amendment/Comment  |                           |
| 4.   Examiner's Comment Regarding Requirement for Deposit  | 8. 🗌 Examiner's  | Statement of Reasons for Allov   | vance                     |
| of Biological Material   | 9. 🗌 Other   | _•   |                           |
|  |  |  |                           |

Art Unit: 1651

## Examiner's Comment

## Terminal Disclaimer

The terminal disclaimer filed on 8/9/04 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US Patent No. 6,744,038 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Hanley whose telephone number is 571-272-2508. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Wityshyn can be reached on 571-272-0926. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JEAN C. WITZ